

DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal No. 2017-16
)	
LEOMAR DE LA ROSA CEDANO,)	
)	
Defendant.)	
)	

ATTORNEYS:

Jocelyn Hewlett, Acting United States Attorney
Meredith Jean Edwards, AUSA
United States Attorney's Office
St. Thomas, VI
For the United States of America,

Darren John-Baptiste
St. Thomas, U.S.V.I.
For defendant Leomar De La Rosa Cedano.

ORDER

GÓMEZ, J.

Before the Court is the motion of Leomar De La Rosa Cedano to be released from custody or to expedite his sentencing.

On February 1, 2017, Leomar De La Rosa Cedano ("Rosa Cedano") was charged via information with illegally entering the United States. On February 2, 2017, the United States moved for pretrial detention of Rosa Cedano. On February 3, 2017, the Magistrate Judge granted the motion for pretrial detention. In a March 16, 2017, change of plea hearing, Rosa Cedano pled guilty to illegally entering the United States. On that same date, a

sentencing hearing in this matter was scheduled for July 20, 2017.

On April 7, 2017, Rosa Cedano filed a "Motion for Release From Custody or Alternatively Expedited Sentencing" (the "Motion"). In the Motion, Rosa Cedano states that the crime for which he has pled guilty has a statutory maximum sentence of six months incarceration and an applicable sentencing guideline range of zero to six months incarceration. By July 20, 2017, Rosa Cedano will have already been in custody for nearly six months. As such, Rosa Cedano requests that the Court either hold a hearing addressing his potential release pending sentencing, or, in the alternative, that the Court expedite his sentencing. In a response to the motion, the United States objects to Rosa Cedano's release, but joins in Rosa Cedano's request for an expedited sentencing.

The premises considered, it is hereby

ORDERED that, with respect to Leomar De La Rosa Cedano, the dates announced at the March 16, 2017, change of plea hearing related to sentencing, a presentence investigation, and a presentence report are **VACATED**; it is further

ORDERED that, with respect to Leomar De La Rosa Cedano, the presentence investigation shall be disclosed to all parties no later than April 28, 2017; it is further

ORDERED that, with respect to Leomar De La Rosa Cedano, the position of the parties with respect to sentencing shall be disclosed no later than May 1, 2017; it is further

ORDERED that, with respect to Leomar De La Rosa Cedano, the final presentence report shall be disclosed to all parties and the Court by May 6, 2017; and it is further

ORDERED that, with respect to Leomar De La Rosa Cedano, a sentencing hearing shall commence promptly at 9:00 am on May 11, 2017.

s_____
Curtis V. Gómez
District Judge